



ROBERT G. ATKINS

AGRICULTURAL COMMISSIONER/
SEALER OF WEIGHTS AND
MEASURES

County of San Diego

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES

5555 Overland Avenue, Suite 3101, San Diego, CA 92123-1256

<http://www.sdcawm.org>

AGRICULTURE
(858) 694-2739
FAX (858) 495-5012

WEIGHTS & MEASURES
(858) 694-2778
FAX (858) 505-6484

COUNTY VETERINARIAN
(858) 694-2838
FAX (858) 571-4268

SAN MARCOS OFFICE
(760) 752-4700
FAX (760) 752-4703

TO: Certified Producer Applicants

FROM: Robert G. Atkins

CERTIFIED PRODUCER APPLICATION PACKET OVERVIEW

This packet contains all the necessary forms needed to apply for a Certified Producer Certificate. Upon receipt of all forms and the application fee by our office, an inspector will review your application packet and determine if all required information has been submitted. **An inspection of your property will not be scheduled until all required paperwork and the correct certificate fee is received.** Please mail or submit completed forms and fees to:

County of San Diego
Department of Agriculture, Weights and Measures
Attn: Certified Producer Program
5555 Overland Avenue, Suite 3101
San Diego, CA 92123-1256

Once the application is reviewed, you will be contacted to schedule a property inspection (*see Direct Marketing Fee Letter for fees*). After the property inspection is conducted, your crop information will be entered onto your certificate at our office, which will take four to five working days. You will be contacted by telephone when your certificate is ready for your signature. If you are applying for a certificate for the first time, you must come into either our San Marcos office or San Diego office to sign your certificate. If you are renewing or amending your certificate, we can mail it to you for your signature, and then you will return it to us for our signature and embossing. We will then mail copies of the valid certificate to you. ***A Certified Producer's Certificate will not be issued until all inspection fees have been paid.**

NOTE re: FOOD SERVICES: All special events (including street fairs, festivals, and some Certified Farmers' Markets) that involve food service/sales to the public will require a separate permit from the Department of Environmental Health. For more information, please call (619) 338-2379.

Please contact the clerical staff, at (858) 694-2778 if you have any questions.

Updated 10/05



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DIRECT MARKETING FEES

Listed below are fees associated with obtaining a Certified Producers Certificate.

- * Certified Producer's Certificate Fee* \$35.00 (submitted with application)
- * Other County listings on Certificate** \$ 5.00 (submitted with application)
(to participate in markets outside of San Diego)
- * Inspection Hourly Rate (on site only) \$60.00 (at time of inspection)
- * Travel Charge by Zone (at time of inspection)
(Travel charge applied according to zip code of inspection site. See list below for zip codes)
- * Certificate Amendment or Addition \$5.00
(plus hourly inspection fee and travel charge by zone, will be charged at time of inspection.)

TRAVEL ZONE ZIP CODE DESTINATIONS

Zone 1 \$20.00	
91902	92114
91941	92115
91942	92116
91945	92117
91950	92118
91977	92119
92014	92120
92020	92121
92037	92122
92064	92123
92067	92124
92071	92126
92075	92127
92093	92128
92101	92129
92102	92130
92103	92131
92104	92133
92105	92134
92106	92135
92107	92136
92108	92139
92109	92140
92110	92145
92111	92155
92113	92161

Zone 2 \$40.00
91901
91910
91911
91913
91914
91915
91917
91932
91935
91978
92007
92008
92009
92019
92020
92021
92024
92025
92026
92027
92029
92040
92056
92065
92069
92083
92084
92154
92173

Zone 3 \$60.00
91906
91916
91931
91948
91962
91963
91980
92003
92028
92036 West *
92054
92055
92057
92059
92060
92061
92070
92082

Zone 4 \$80.00
91905
91934
92004
92055
92066
92086
92259
92036 East **
92536
92672

***92036 West
Instructions:**
West of Sunrise Hwy
from Zip Code
Boundary 91948 to
Hwy 79, West of Hwy
79 to Hwy 78, North
of Hwy 78 to S-2, and
West of S-2 until Zip
Code Boundary
92086.

**** 92036 East
Instructions:** East
of Sunrise Hwy from
Zip Code Boundary
91948 to Hwy 79,
East if Hwy 79 to
Hwy 78, South of
Hwy 78 to S-2, and
East of Hwy S-2 to
Zip Code Boundary
92086.



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CERTIFIED PRODUCER CERTIFICATE APPLICATION

☐ New Application ☐ Additions Application ☐ Annual Certificate Renewal

NAME:	
DBA:	
ADDRESS:	
CITY AND ZIP:	
PHONE: (RES.)	PHONE: (BUS.)

FOR OFFICIAL USE ONLY	
CERTIFICATE NUMBER:	
COUNTY FEE: \$	PAID WITH:
DATE RECEIVED:	
ISSUING DATE:	
EXPIRATION DATE:	
AMENDED DATE:	

CERTIFIED PRODUCER INFORMATION:

Check if you have a ☐ Farming Partnership
☐ Sharecropping Agreement
☐ Similar Contractual Agreement with another person

Do you sell for any other Certified Producer? ☐ No ☐ Yes:

NAME: _____ NAME: _____

Does any other Certified Producer sell for you? ☐ No ☐ Yes:

NAME: _____ NAME: _____

Do you: ☐ Own growing property? or ☐ Lease growing property?

Organic? Check if yes ☐ Nursery? Check if yes ☐

Production Sites, please provide full address including zip code and parcel ID number (APN).

1.	APN	2.	APN
3.	APN	4.	APN
5.	APN	6.	APN
STORAGE LOCATION (A)	MONTHS IN STORAGE	STORAGE LOCATION (B)	MONTHS IN STORAGE

EXAMPLE OF INFORMATION NEEDED FOR THE COMMODITIES THAT YOU GROW

USE SEPARATE SHEET FOR EACH LOCATION

Location	Commodity	Variety	Amount	Unit of Measure	Estimated Production	Unit of Measure	Harvest Season (Month to Month)
1.	Apple	Granny Smith	6	Trees	100	Lbs.	Aug-Sept
1.	Tomato-Cherry	Red	6	Acres	300	Lbs.	Apr-Aug
2.	Begonia	Angel wing -white	13	Plants	13	Pots	Jan-Dec
2.	Dianthus	Tiny Rubies -red	100	Sq ft	200	Bnchs	Apr-Oct

OTHER COUNTIES IN WHICH YOU PLAN TO SELL IN:

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I hereby agree to comply with the requirements of Title 3, Chapter 1, Subchapter 4, Article 6.5 of the California Code of Regulations pertaining to Direct Marketing.

Signature Required

Date



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GRANTING OR ACCEPTING AUTHORITY TO SELL INFORMATION

You may have expressed an interest in either granting authorization to another Certified Producer to sell your product at a farmers' market or to accepting authorization from another to sell his/her product. The California Code of Regulations (Title 3, Section 1392.4 [g][6]) requires that a producer submit written authority to do so, prior to certification, to the ACTING AGRICULTURAL COMMISSIONER.

State regulations, effective January 2000, require that the name of the certified producer selling for another, or having authorized another to sell, must appear on each certificate of the parties involved in the agreement. **Both certificates must be amended simultaneously to be effective and available for use at a certified farmers' market.** Please coordinate submitting of forms with the producer with whom you have made the agreement to avoid delays in issuing the certificates. **We will not issue any new or amended certificate with Authorized Seller information until written authorization is received from both parties.**

The grant or acceptance of Authorization to sell is valid for one year from the date declared.

We have enclosed the appropriate form(s) to facilitate the granting or acceptance of Authorization to Sell. The agreement(s) must be completed, signed, and returned to this office to avoid any delay in scheduling your property inspection and/or issuance/amending your Certified Producer Certificate.

If the producer you are going to sell for, or are granting permission to sell for you, is registered in another county, you must provide a photocopy of his or her certificate.

If you have questions, please call (858) 694-2778 and we will be pleased to assist you.



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CERTIFIED PRODUCER **GRANT OF** **AUTHORIZATION TO ANOTHER CERTIFIED PRODUCER** **TO SELL COMMODITIES**

Completion of this form required before Certified Producer Certificate can be issued.

DATE DECLARED: _____ (Valid for one (1) year from this date.)

I, _____, am a Certified Producer registered in
(name on certificate)

the County of _____ (Certified Producer Certificate No. _____).

DBA on Certificate if different from name above: _____
(e.g.: XYZ Farms)

By this document, I authorize another Certified Producer to sell fruits, nuts, vegetables, honey, and/or eggs of my own production at a Certified Farmers' Market (CFM). I understand that the authorized seller must be provided with, and have in his/her possession at time of sale at a CFM, an embossed photocopy of my Certified Producer Certificate.

I do, hereby, grant authorization to _____, a Certified Producer
(name on certificate)
registered in the County of _____ (Certified Producer Certificate No. _____)
to sell my products.

DBA on Certificate if different from name (authorized) above: _____

I understand that permission to sell on behalf of another Certified Producer is contingent upon permissive rules established by the manager of each CFM at which the authorized seller participates. I further understand that I am limited, by State regulation, to authorize a maximum of two Certified Producers to sell agricultural products of my own production at CFM's for the 12-month period following the date of issuance or amendment of my certificate with the name of the authorized seller recorded thereon. I may not substitute a different Certified Producer as an authorized seller in place of the above named authorized seller until the end of that one-year period.

This agreement/authorization must be signed by the AUTHORIZING Certified Producer, and each member of a Partnership, Sharecropping or Lease Agreement, or similar contractual entity which, collectively, holds the CPC.

Print Name: _____ Signature: _____
Print Name: _____ Signature: _____
Print Name: _____ Signature: _____



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CERTIFIED PRODUCER **ACKNOWLEDGEMENT AND ACCEPTANCE OF** **AUTHORIZATION TO SELL COMMODITIES** **FOR ANOTHER CERTIFIED PRODUCER**

Completion of this form required before Certified Producer Certificate can be issued.

DATE DECLARED: _____ (Valid for one (1) year from this date.)

I, _____, am a Certified Producer registered in
(name on certificate)

the County of _____ (Certified Producer Certificate No. _____).

DBA on Certificate if different from name above: _____
(e.g.: XYZ Farms)

By this document, I acknowledge that I have been authorized by another Certified Producer to sell fruits, nuts, vegetables, honey, and/or eggs of his/her own production at a Certified Farmers' Market (CFM). I understand that I, or my employee or family member, must be provided with, and have in my/his/her possession at time of sale at a CFM, an embossed photocopy of the AUTHORIZER'S Certified Producer Certificate.

I do, hereby, accept authorization from _____, a Certified Producer
(name on certificate)

registered in the County of _____ (Certified Producer Certificate No. _____), to sell
his/her product.

DBA on Certificate if different from name (authorized) above: _____

I understand that permission to sell on behalf of another Certified Producer is contingent upon permissive rules established by the manager of each CFM at which I, as the authorized seller, participate. I further understand that I am limited, by State regulation, to be authorized by a maximum of two Certified Producers to sell agricultural products of their own production at CFM's for the 12-month period following the date of issuance or amendment of my certificate on which the name of the authorizer(s) is(are) recorded. I may not substitute a different Certified Producer as an authorizer in place of the above named authorizer until the end of that one-year period.

This acknowledgement must be signed by the AUTHORIZED Certified Producer, and each member of a Partnership, Sharecropping or Lease Agreement, or similar contractual entity which, collectively, holds the CPC.

Print Name: _____ Signature: _____

Print Name: _____ Signature: _____

Print Name: _____ Signature: _____



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REQUIREMENTS FOR FARM LEASES

Every person or entity who enters into a farm lease with another person(s) or entity and who applies for a certified producer's certificate under such agreement shall provide to the County of San Diego ACTING AGRICULTURAL COMMISSIONER, **at the time of application**, with a copy of the current written lease agreement which shall contain the following:

1. A clear and concise accurate description of the lease property. The description shall include the present use of the property, the dimensions of the leased property, and the location, including the assessor's property number (APN)
2. The cost of the lease
3. The beginning and ending dates of the lease.
4. The date of the agreement and the signatures of all parties involved.
5. A guarantee of the signatures on the agreement by a notary public executed at the time of signing by all parties. The notarized signatures on the agreement of all executing the agreement.

The lease must state:

6. Person applying for the certificate shall assume all financial risks associated with producing agricultural products.
7. Lessee shall perform agricultural production upon the land.
8. Enter into the agreement prior to planting of annual and biannual crops.
9. Enter into the agreement prior to or within 30 days after preparing perennial field crops for the subsequent cropping pattern.
10. Enter into the agreement prior to bloom of the tree and vine crops.

Any change in the terms of this lease agreement shall invalidate a certified producer's certificate issued under such terms. Any such change shall be reported immediately and all embossed copies issued shall be surrendered to the ACTING AGRICULTURAL COMMISSIONER.

Notwithstanding the above, an enforcing officer representing the Department of ACTING AGRICULTURAL COMMISSIONER may request such additional documentation as is reasonably necessary to show that the conditions of the article are being met.

Title 3. California Code of Regulations

§1392.9.2. Direct Marketing. Requirements for Farm Leases.

- (a) Every person or entity who enters into a farm lease with another person(s) or entity and who applies for a certified producer's certificate under such agreement shall provide the issuing ACTING AGRICULTURAL COMMISSIONER, at the time of application, with a copy of the current written lease agreement which shall contain the following:
 - (1) A clear and concise accurate description of the leased property. The description shall include the present use of the property, the dimensions of the leased property and the location; and
 - (2) The purchase price (cost) of the lease; and
 - (3) The date of the agreement and the signatures of all parties involved; and
 - (4) A guarantee of the signatures on the agreement by a notary public executed at the time of signing by all parties. The notarized signatures on the agreement of all executing the agreement.
- (b) Notwithstanding the above, an enforcing officer representing the Department or ACTING AGRICULTURAL COMMISSIONER may request such additional documentation as is reasonably necessary to show that the conditions of this article are being met.
 - (a) To qualify for a certified producer's certificate, the person applying for the certificate shall:
 - (1) Assume all financial risks associated with producing agricultural products; and
 - (2) Enter into the agreement prior to planting of annual and biannual crops; and
 - (3) Enter into the agreement prior to or within 30 days after preparing perennial field crops for the subsequent cropping pattern (e.g., prior to the fern stage of asparagus or prior to cut back of artichokes), and
 - (4) Enter into the agreement prior to bloom of tree and vine crops, and
 - (5) Perform agricultural production upon the land which is the subject of the agreement.
 - (b) Any change in the terms of this agreement shall invalidate a certified producer's certificate issued under such terms. Any such change shall be reported immediately and all embossed copies of certificates issued to the partnership shall be surrendered to the issuing ACTING AGRICULTURAL COMMISSIONER.

NOTE: Authority cited: Sections 407, 42682, 47000, 47002, 47003 and 47004, Food and Agricultural Code. Reference: Section 42941, Food and Agricultural Code.

HISTORY

1. New section filed 12-9-99; operative 1-8-2000 (Register 99, No. 50)

Tile 3. California Code of Regulations

§1392.9.1. Direct Marketing. Requirements for Partnerships, Sharecropping Agreements, and Similar Contractual Agreements.

- (c) Every person or entity that enters into a partnership as defined in [Section 1392.2\(s\)](#), sharecropping, or similar contractual agreement with another person(s) or entity and that applies for a certified producer's certificate under such agreement shall provide the issuing ACTING AGRICULTURAL COMMISSIONER, at the time of application, with proof of partnership as defined in the United States and California Tax Codes, or the Partnership's Federal Tax Identification Number and a copy of their current written agreement which shall contain the following:
 - (1) A clear, concise and accurate description of the property to be farmed. The description shall include the present use of the property, the dimensions, and the location of the property; and
 - (2) Partners shall demonstrate equitable risk by submitting a description of each party's financial and material resource input, which shall include the degree of involvement each party has in agricultural production; and
 - (1) The date of the agreement and the signatures of all parties involved; and
 - (2) A guarantee of the signatures on the agreement by a notary public executed at the time of signing by all parties. The notarized signatures on the agreement of all parties executing the agreement.
 - (3) A statement of verification that the property or properties to be farmed by the partnership or producers cooperating under a similar contractual agreement are under the exclusive control of the partnership as a separate entity from its individual members.
- (d) Notwithstanding the above, an enforcing officer representing the Department or ACTING AGRICULTURAL COMMISSIONER may request such additional documentation as is reasonably necessary to show that the conditions of this article are being met.
- (c) To qualify for a certified producer's certificate, all parties listed on the certificate shall:
 - (1) Have entered into the agreement prior to planting of annual and biannual crops; and
 - (2) Have entered into the agreement prior to or within 30 days after preparing perennial field crops for the subsequent cropping pattern (e.g., prior to the fern stage of asparagus or prior to cut back of artichokes); and
 - (3) Have entered into the agreement prior to bloom of tree and vine crops; and
 - (3) Be engaged in agricultural production upon the land which is the subject of the agreement.
- (d) Any change in the terms of this agreement shall invalidate a certified producer's certificate issued under such terms. Any such change shall be reported immediately and all embossed copies of certificates issued to the partnership shall be surrendered to the issuing ACTING AGRICULTURAL COMMISSIONER.

NOTE: Authority cited: Sections 407, 42682, 47000, 47001, 47002, 47003 and 47004, Food and Agricultural Code. Reference: Sections 42941, 47000, 47001 and 47003, Food and Agricultural Code.

HISTORY

1. New section filed 12-9-99; operative 1-8-2000 (Register 99, No. 50).
2. Amendment of subsection (a), new subsection (a)(5) and amendment of Note filed 2-4-2002 as an emergency; operative 2-4-2002 (Register 2002, No. 6). A Certificate of Compliance must be transmitted to OAL by 6-4-2002 or emergency language will be repealed by operation of law on the following day.



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EMPLOYMENT AGREEMENT

I _____, a Certified Producer under Title 3, Article 6.5 of the California Administrative Code, do employ

_____ as authorized under Section 1392.2 to sell fruit, nuts and/or vegetables of my own production for me at a Certified Farmers' Market. I attest that compensation to the above named employee is based on a fixed salary and not on a commission or on a resale basis.

I will immediately notify the endorsing ACTING AGRICULTURAL COMMISSIONER/Sealer upon termination or change in status of my employees.

I am aware that any violation of the Direct Marketing Regulations (Title 3, Article 6.5) by me or by my employees may be cause for revocation of my Certified Producer's Certificate by the issuing County and/or of my privilege to participate in a Certified Farmer's Market in an endorsing County.

Executed this _____ of _____, _____. Renewal of this employment

(Day) (Month) (Year)
agreement is required upon expiration of Certified Producer's Certificate.

Certified Producer

Certificate No. _____

Date: _____

THIS AGREEMENT MUST BE CONSPICUOUSLY POSTED AT POINT OF SALE